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INDIANA UNIVERSITY
Maurer School of Law
Bloomington

Indiana Law Annotated

Vol. 17 No. 5
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EVENTS & LECTURES

WORKSHOP: RESPONDING TO HATE

Education is one of the most powerful tools we have in responding to hate. As part of the University's response to the violence we experienced in Bloomington this summer, Professor Susan Williams is organizing a workshop that will be held at the Indiana Memorial Union on Sunday, October 3, 1999. The event is free and open to the public. All students are encouraged to attend. The schedule will be as follows:

1:30 *Keynote address* by Morris Dees, co-founder and Chief Trial Counsel of the Southern Poverty Law Center (Whittenberger Auditorium).

2:45 *Plenary Panel on Hate Groups* and the Personal Effects of Hate (Whittenberger Auditorium). Members of the panel are Mark Hamm, Professor of Criminology, Indiana State University; Steven King, Investigator, Indiana State Police; and Eric Ward, Northwest Coalition Against Militia Harassment.

4:15 *Break-out sessions*

-Hate Crimes and the First Amendment (Oak Room) with Jeannine Bell, Associate Professor of Law, IU; Sandra Leek, Executive Director, Indiana Civil Rights Commission; and Susan H. Williams, Professor of Law, IU.

-Community Responses to Hate (Maple Room) with Byron Bangert, Pastor, First Presbyterian Church; Beverly Calender-Anderson, Director, Community Service Council; David Reidy, Professor of Philosophy, IUPUI; and Eric Ward, Northwest Coalition Against Militia Harassment.

-Individual Responses to Hate (Walnut Room) with Brian Bridges, graduate student in Higher Education and Administration, co-founder of Groups Emerging Leaders Program; Pamela Freeman, Commission on Multicultural Understanding, IU; and Rudy Hernandez, student at Bloomington High School North.

-Ideological Sources of Right-Wing Extremism (Persimmon Room) with Jeffrey C. Isaac, James H. Rudy Professor of Political Science and Director of the Center for the Study of Democracy and Public Life; Robert Orsi, Professor and Chair, Religious Studies, IU; and David C. Williams, Professor of Law, IU.

5:30 *Closing address* by Charles Guynn, President and CEO of Indiana Black Expo Economic Development Corporation and former Director of the Indianapolis/Marion County Commission on Civil Rights.

The Workshop is sponsored by The Office of the President of the University, The Office of the Vice President for Academic Affairs and Chancellor Bloomington, The Office of the Vice President for Student Development and Diversity, The School of Law Bloomington, The Union Board, The Center for the Study of Democracy and Public Life, The Afro-American Studies Department, The Asian Culture Center, La Casa Cultural Center, and The African American Cultural Center.

ACADEMY OF LAW ALUMNI FELLOWS PROFILE

Who are those people whose photographs are on the first-floor wall? In this series of profiles, we introduce you to the members of the Academy of the Law Alumni Fellows. The Fellows are the recipients of the highest honor the Law School bestows on its alums. We hope that each profile will help you reflect on the successes of our alumni as well as some possibilities that are ahead for you.

HUGO "CHAD" SONGER

A passion for justice has distinguished Hugo "Chad" Songer's legal career. During his years serving in a variety of judicial offices, Songer was an author of an award-winning crime report and was instrumental in promoting much-needed reforms to the juvenile justice system. As an attorney, he was a guiding force in the advent of wrongful death lawsuits for cases in which a murder suspect remains uncharged despite substantial evidence.

In 1969, Songer was a member of the commission that wrote the Crime Report of the City of Evansville, which received the James Bethell Freedom Award and became a model for cities nationwide. In 1994, Songer made news as a representative of the Juvenile Code and Youth Gang Study Commission, which recommended opening juvenile proceedings to the public. It was Songer's view that opening these courts would inform the public about the seriousness of youth crimes and at the same time reveal that juvenile offenders do not receive lenient treatment. These recommendations, according to U.S. Attorney Jon DeGuilio, were aimed at "empowering the juvenile justice system."

Empowerment of victim's families was also the goal in 1981 when Songer helped to bring about a groundbreaking wrongful death law-suit against a man suspected of murdering a young girl in Spencer County. After a floundering police investigation yielded no criminal charges, Songer counseled the girl's parents to turn to civil court and represented them for free. "I knew I had to do the best job I could for this family," Songer recalls. In 1983, a Warrick County jury found firefighter Stanton Gash responsible for the wrongful death of Kathy Kohm.

As an Indiana University senior, he was law student body president. After graduating in 1960, he was a law associate in Evansville; he served for seven years as U.S. commissioner for the Federal Court of Evansville; he was an attorney in Jasper for several years; and, until his retirement in 1996, he was the judge for Dubois County Circuit Court. Meanwhile, he has served on the State Board of Law Examiners for more than two decades and has served two terms as President. He has been active in the Evansville Bar Association, serving as president in 1970-71; he was also

president of the IU Law Alumni Association in 1983-84.

For seven years, Songer has been a Big Brother and has served on the board of Big Brothers and Big Sisters of Dubois County. He is also president of the Dubois County Boys Home and sometimes spends the night at the home to fill in for house parents.

When Songer retired from the bench, he was named a Sagamore of the Wabash. The Honorable Randall T. Shepard, chief justice of Indiana, recognized Songer's impact on his colleagues when he wrote, "Your fellow judges are grateful for the acuity of legal judgment and kindness of heart with which you have served at our side. We have been better judges ourselves by virtue of your example."

NEWS FROM THE FACULTY

Professor David Fidler's chapter "Sisyphus in the Microbial World: Antimicrobial Strategies and Humanity's Health, will be published in *Anti-Microbial/ Anti-Infective Materials: Principles, Applications, and Devices* (Technomic Pub., 1999).

Professor Sarah Hughes' article, *A Case for Regulating Cyberpayments*, has been published in 52 ADMIN. L. REV. The article stemmed from her presentation in March at a symposium held at American University's Washington College of Law. The argument is that, although we generally assume that regulation has costs, in some cases regulation can offer "diffuse public benefits". In particular, to compete against the plethora of already used and regulated payments systems available for retail transactions, the new form payments - Internet and smart-card based - may need regulatory structures. Only when consumers can understand the legal context of the payment system - such as rules for loss or theft, etc. - will they be prepared to embrace new payment modes.

Professor Marshall Leaffer has just published the third edition of his treatise *Understanding Copyright Law* (Matthew Bender 1999). According to Professor Fred Cate, "Understanding Copyright Law is the best-selling copyright treatise in the United States, relied on by faculty and

students, as well as virtually all practitioners in the field. . . .[I]t not only provides clear and reliable treatment of the minutiae of copyright law, but it also tracks the eddies and currents in the major theoretical underpinnings of the area."

NEWS FROM CAREER SERVICES

JOB SEARCHES FOR 2L's & 3L's

Although the on-campus interview program brings many employers to the school, it is important to remember that roughly 70-80 per cent of IU students find their summer clerkship and post-graduation employment through other means. Students at other schools face similar problems concerning finding employment through on campus interviewing, with many schools placing fewer than 10% through that means. As a result each student needs to consider what alternative job search strategies are available to help that student find employment.

Sources of Help for Alternative Job Searches: Despite the flurry of on-campus interviews at this time, the Career Services Office is still the first place to get help in formulating a job search. The databases and library materials housed in the CSO or available on its webpage describe a wide variety of types of legal employers and a very large listing of prospective employers across the United States. These materials cover all types of traditional legal employment (with firms of all sizes, with corporations and unions, and with federal, state, and local government agencies) and also cover some less traditional types of employment (in the news media, trade associations, sports teams, and public interest groups). The professionals in the CSO, Assistant Dean Christine Rodden and Assistant Director Margaret Bunnell, will help you find the materials best suited to the type of employment you plan to seek.

In addition to CSO-based resources, alumni across the country can be very helpful to students exploring employment opportunities. The CSO has the names of alumni who have volunteered to speak with students about their geographic areas or about their fields of practice. To get an idea of how to approach alumni for this type of informational help, talk to the CSO professionals. You also might want to view the video of a session on networking that Professor Aviva Orenstein and I made two years ago. That video is in the CSO library. In addition, contacting alumni about opportunities within that alumni's own firm or agency may cause the firm or agency to take a closer look at the applicant's resume than is ordinarily the case with a "cold call" (a direct call or letter with a prospective employer with no connection to the student or school). (By the way, mass mailings are one of the more expensive, time-consuming, and likely to be frustrating ways of starting a job search.)

A third, but little used source of information is the faculty. Students who have definite ideas about geographic or practice areas might approach a member of the faculty who is knowledgeable about the location or practice area.

Timing: Students find employment through a long search season that begins in late August or early September on the East Coast, in early September in the Midwest, and in late September on the West Coast. The search season extends through May of the following year for summer clerkships and into the fall of the next year for post-graduation employment. Big law firms, major corporations, and some federal agencies such as the Department of Justice tend to make

the majority (but not necessarily all) of their hiring decisions in the first two to three months of the academic year. Mid-sized firms and judicial clerkships tend to make hiring decisions in the middle of the academic year -- that is, from December through mid-March. Smaller law firms and most federal and state agencies hire throughout the year and through the time at which bar results are available.

Because the timing for job searches varies so much, students have successive opportunities to find legal employment. In the event that a student who participated in the fall on-campus interview program failed to get an offer, that student might find a terrific job with a smaller firm or with an agency at a later time in this year-long process. Students should know that small firms that hire only one or two people a year do not always know at what point in the year they will be looking -- being in the right place at the right time is often the way people get hired.

Starting a search: Regardless of which type of employment students are seeking, the summer months and the fall semester are very good times to put the job search in motion. Students can start to research prospective employers, types of practices, and geographic locations. Students can seek informational interviews with alumni practicing in locations they are considering. Students can talk to classmates and faculty about opportunities. Students can use the reference materials and databases in the CSO for names of potential employers and alumni. The point is to start.

Many students need help with interview performance and their resumes. CSO can help students with interview skills and resume review. Help with interview skills includes mock interviews and critiques. I have seen fine students get an interview and then fail to get an offer because they had not prepared themselves in how to perform in a legal interview.

NEWS FROM STUDENT AFFAIRS OFFICE

GOLF OUTING RESULTS

The alums and students participating in this year's 29th annual law school golf outing were treated to a day of beautiful weather and a nice golf

course, with occasional fine golf thrown in as a bonus!

Although all players were indeed winners on this perfect day, here are a few comments:

First place, with 8 under par, was garnered by the wrecking crew of Brad Brasser, Jeff Robertson, Adam Warnke, and their clean up closer, Aaron Warnke. Unsubstantiated reports of fans following this four-some were that they were the only group able to putt with any consistency, apparently having mastered the art of knowing when to use trajectory on some of the severely slopped greens!

Second place was captured by the alum team of much repute from the eighties: George Gaskin, Don Levenhagen, Steve Hackman, and Jim Beatty. They were 6 under par. Their disappointment, which was quite palpable around the clubhouse post play, was understandable,

given the fact that the last time they played, several years ago, this same group was 15 under par at the IU course. By explanation, they opined that their law practices have hurt their golf game.

Also in the hunt for the top prize this year at 5 under were the teams of Jae-Jun Jang, Hong-Sik Chung, Sookeum Song, and Yoon Sim, who quietly scored well and could have won but for a walk in the woods on one hole and a swim on another.

Also at 5 under were long time alum player Kevin "Katch it flush occasionally" Belt who was joined by Ed Vimolloharn, Bryan Babb, and "Flinch at the Top" Fromm. This was a group that enjoyed the greens immensely, given the number of putts they enjoyed on that surface. In fact, Bryan "be there" Babb got the internal award in this foursome for, not only being the best cite checker, but also for being the best at "how to line up your fourth putt." (See also the book of that title in Room 024).

Finally, there were other individual awards given (even though everyone in this outing was a decisive winner):

The Longest Putt awards were stolen by alum Ken Anderson (barely besting Mike Denny) and by Jim "stay cool" Caldwell (taking the award away from first time golfer, Rachel Jefferson). The longest drives of the day came from the same foursome. David "jolt" Jordan hit it long and in the center of the fairway, as did his playing partner Pete "smash it" Snow. There was a dispute, however, on the "Snow" hole, as alum Tom McDonald hit one further. However, it did not land in the fairway. In what has become known as the "Dan Conkle Appeal," McDonald argued unsuccessfully that the rough was trampled down and therefore was no different than the fairway. It is not known at this time if McDonald, a local litigator of some fame, plans to appeal to the next level.

Brian Lally lulled his tee shot closest to the pin on one designated hole, and Bob Heidt managed to get his tee shot extremely close to the pin on the other designated hole. There were a couple of unsubstantiated stories floating around the clubhouse after the round concerning the Heidt shot (Heidt mysteriously disappeared before the award ceremony and could not be reached for comment on either story). One involved a fan noticing that he was reading the chapter of the new Sergio Garcia pocket golf book entitled "How to get accuracy off your Shank" immediately before he hit the shot.

The other story, possibly more accurate, was that the preceding foursome heard the sound of wood prior to the shot rolling to the pin! The golf organizers are certain that clarification on both stories will be forthcoming.

Finally, it is a pleasure to announce that three golfers tied for the "best new golfer" award. They were Rachel "putting is not difficult" Jefferson, Maggie "what is so difficult about this game?" Jones, and "Easy" Ed Vimollohakarn, whose playing partners were overheard to say "he couldn't have just started playing last year!"

There were many other interesting stories from this year's outing - just ask the participants since the ILA editor has imposed a word limit on.....

CORRECTION

Katie Gostinger is on the Alumni/ae Relations Committee, but not on the Appointments Committee as previously stated in the ILA. Tamu Walton is the second student on the Appointments Committee.

STUDENT FACULTY COMMITTEE ASSIGNMENTS

The following students have been nominated by SLA and appointed by Dean Aman to these respective faculty committees.

Academic Regulations: Michelle Huckstep-Neary and Johnny Pryor.

Admissions/Financial Aid: Amy Hurley and Joe Villanueva.

Alumni/ae Relations: Greg Ehrhard and Katie Gostinger.

Appointments: Galen Lim and Tamu Walton.

Career Services/Judicial Clerkships: Tavonna Harris, Anthony Miani, and Jonathan Stern.

Clinical Ranks:Carolynn McLaughlin and Sakinna Thomas.

Community Life: Tricia Black, Heather Clark, and Tamisha Evans.

Educational Policy: Albert Chang and Marisol Sanchez.

Instructional Technology: Charles Frayer and Wayne Warf.

Library and Building Committee: Adrian Allen and Hans Weinburger.

Teaching: Jocelyn Hedlund and Arvid Swan.

NEWS FROM STUDENT ORGANIZATIONS

FEMINIST LAW FORUM

The next meeting of the Feminist Law Forum will be on Wednesday, Sept. 29, at Noon in Room 124. All persons interested in feminist legal issues are welcome to attend.

LAWYERS AT THE LION

The Federalist Society invites you to come to the first in our annual series of lectures given by members of our law school faculty at the Irish Lion. On Thursday, Sept. 30 at 7:00, Professor Patrick Baude will be speaking on the recent Supreme Court developments with regard to Federalism and the Separation of Powers. Come enjoy the insight of Professor Baude and the ale of the Irish Lion.

SLA

Don't miss it the first SLA Happy Hour of the Year! Join SLA and IU Law faculty for some

afternoon refreshments to welcome the 1Ls and celebrate the 2Ls finishing their Moot Court Briefs! Thursday, Sept. 30, 4:00 p.m. in the Student Lounge.

Mark your calendar! SLA's first "Town Hall" meeting will happen Oct. 4, at 12:15 in the Moot Court Room SLA will be co-sponsoring this forum for 2Ls and 3Ls ONLY with the Career Services Faculty- Student Committee. More info to come....

EVENING AT OLIVER WINERY

The Environmental Law Society is pleased to announce the 4th Annual Evening at the Oliver Winery, Friday, October 1st, 6:30 - 9:00. The event is a fundraiser for ELS's research group and helps support ELS activities throughout the year.

For \$6 advance sale or \$7 tickets at the door you get:

- A beautiful atmosphere with fall colors, followed by a lovely sunset. Why not stay for the stars?

- Light refreshments from Eileen's New England Catering, The Bakehouse, Tina's Carry Out Cuisine & Catering, among others, as well as

wonderful homemade brownies and chocolate chip cookies, and many other goodies.

- The musical stylings of Aubergine Moon. (Jazz and wine go well together.)

- Samples of Oliver Winery's award-winning wines.

In addition:

- Purchase \$1 tickets for a chance to win a hot air balloon ride.

- Purchase ELS special-labeled Oliver Soft Red for \$7.50/bottle. Proceeds of only this wine go to ELS.

- Bring a blanket, picnic basket, friends and family. Children admitted

free.

Please drink responsibly and designate a driver. No alcohol may be

brought into the event.

Tickets on sale Monday, Sept. 27th - Fri, Oct 1st at the law school between 11-1 in lobby. Questions? Contact Margaret McDavid at 323-8412, or e-mail els@indiana.edu or mcdavid@indiana.edu.

ANNOUNCEMENTS

RESEARCH ASSISTANT NEEDED

Research assistant needed to work on two constitutional law cases raising a commerce clause challenge to state laws prohibiting the interstate shipment of wine directly to consumers. See Professor Tanford.

AUDIO - VIDEO SERVICES

Requests for AV services may be sent to Beth at av@exchange.indiana.edu. Please include the name of your group and the e-mail address of the contact person, a description of what you want to do, and the date, location, starting time and duration of the event. Requests must be made at least 48 hours in advance and will be confirmed by email.

CALENDAR

Wednesday, Sept. 29, Feminist Law Forum meeting, Noon, Room 124.

Thursday, Sept. 30, SLA Happy Hour, 4:00 p.m., Student Lounge.

Thursday, Sept. 30, Lawyers at the Lion, 7:00 p.m., Irish Lion.

Friday, Oct. 1, Evening at the Oliver Winery, 6:30 - 9:00 p.m., Oliver Winery.

Sunday, Oct. 3, Responding to Hate Workshop, 1:30-6:00 p.m., IMU.

Updated: 27 September 1999